

# 85-219-A 85-219-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1. to permit a lot width of 50 ft. instead of the required 25 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

I BOUGHT THIS LOT 5 YEARS AGO AND INTENDED TO BUILD A HOME ON IT. I HAVE NOW FOUND OUT, TO GET A BUILDING PERMIT I NEED A ZONING VARIANCE BECAUSE MY LOT IS ONLY 50' WIDE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name) Signature Address City and State

Legal Owner(s): (Type or Print Name) Signature Address City and State

Attorney for Petitioner: (Type or Print Name) Signature Address City and State

Attorney's Telephone No.: \_\_\_\_\_

ORDERED By The Zoning Commission of Baltimore County, this 26th day of January, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commission of Baltimore County in Room 108, County Office Building in Towson, Baltimore County on the 11th day of February, 1985, at 10:00 o'clock.

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

January 25, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #168 (1984-1985)  
Property Owner: Thomas P. Schwind  
N/S Oliver Beach Rd., 225' E. from centerline  
Miles Rd.  
Acres: 50/50 x 177.26/186.35  
District: 15th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

## General:

As no public facilities are involved, this office has no comment.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Very truly yours,

James A. Boller, P.E., Chief  
Bureau of Public Services

JAM:EAM:ROP:iss

RE: PETITION FOR VARIANCE  
N/S of Oliver Beach Rd., 225'  
E of the Centerline of Miles  
Rd., 15th District

THOMAS P. SCHWIND, Petitioner Case No. 85-219-A

## ENTRY OF APPEARANCE

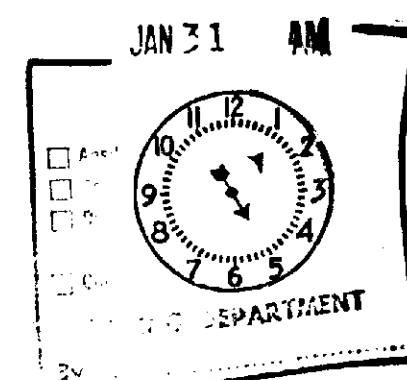
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, MD 21204  
494-2188

I HEREBY CERTIFY that on this 30th day of January, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. Thomas P. Schwind, 3704 Jarrettsville Pike, Jarrettsville, MD 21084, Petitioner.

Peter Max Zimmerman  
Peter Max Zimmerman



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
TOWSON, MARYLAND 21204  
494-3271

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Zoning Advisory Meeting of 12/26/84  
Item #168  
Property Owner: Thomas P. Schwind  
Location: N/S Oliver Beach Rd.  
E of Miles Rd.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on \_\_\_\_\_.
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual.
- ☒ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service area is \_\_\_\_\_.
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☐ Additional comments:

cc: James Hoswell

Eugene A. Boller  
Chief, Current Planning and Development

85-219-A

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 26th day of December, 1985.

Petitioner Thomas P. Schwind  
Petitioner's Attorney

Received by: Nicholas B. Commodari  
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY  
DEPARTMENT OF TRAFFIC ENGINEERING  
TOWSON, MARYLAND 21204  
494-4550

STEPHEN E. COLLINS  
DIRECTOR

January 21, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 168 169, 170, 172, & 173 ZAC- Meeting of December 26, 1984  
Location:  
Existing Zoning:  
Proposed Zoning:

Acres:  
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 168, 169, 170, 172, and 173.

NSP/ocm

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 5, 1985

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Mr. Nicholas B. Commodari  
Chairman

BUREAU OF  
Engineering  
Department of  
Traffic Engineering  
State Roads Commission  
Bureau of  
Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial  
Development

Mr. Thomas P. Schwind  
3704 Jarrettsville Pike  
Jarrettsville, Maryland 21084

RE: Item No. 168 - Case No. 85-219-A  
Petitioner - Thomas P. Schwind  
Variance Petition

Dear Mr. Schwind:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari, Jr.  
NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

BALTIMORE COUNTY  
DEPARTMENT OF TRAFFIC ENGINEERING  
TOWSON, MARYLAND 21204-2586  
494-4500

PAUL H. REINCKE  
CHIEF

January 7, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Thomas P. Schwind

Location: N/S Oliver Beach Road 225' E. from c/l Miles Road

Item No.: 168

Zoning Agency: Meeting of 12/26/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.

- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

- ( ) 6. Site plans are approved, as drawn.

- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVISOR: [Signature] 1-7-85 Noted and Approved: Roy W. Kammer  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/mb



Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 1st day of February, 1985, that the herein Petition for Zoning Variance to permit a lot width of 50 feet instead of the required 55 feet be and the same is hereby GRANTED, from and after the date of this Order, subject to the following:

- The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

*[Signature]*  
Zoning Commissioner of  
Baltimore County

AD/srl

cc: Mr. Thomas B. Schwind

People's Counsel

ORDER RECEIVED FOR FILING  
DATE January 2, 1985  
BY [Signature]  
ADMINISTRATIVE ASSISTANT

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

February 4, 1985

Mr. Thomas P. Schwind  
3704 Jarrettville Pike  
Jarrettville, Maryland 21084

RE: Petition for Variance  
N/S Oliver Beach Road, 225' E of  
the c/l of Miles Road  
Thomas P. Schwind - Petitioner  
Case No. 85-219-A

Dear Mr. Schwind:

This is to advise you that \$42.85 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 004993

DATE 2/11/85 ACCOUNT 1-01-615-000

AMOUNT \$42.85

RECEIVED FROM Thomas P. Schwind

FOR advertisement and posting case 85-219-A

BY 8013\*\*\*\*\*2351a 21147

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3010

January 7, 1985

ED TALKER, JR.  
DIRECTOR  
Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 168 Zoning Advisory Committee Meeting are as follows:

Property Owner: Thomas P. Schwind  
Location: N/S Oliver Beach Road 225' E. from c/l Miles Road  
Bearing Zoning: D.R. 2.5  
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'.

Address: 50/50 x 177.26/186.35

District: 15th.

The items checked below are applicable:

(A) All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 ~~which requires that all structures be constructed in accordance with the applicable Code.~~

(B) A building/ & other permit shall be required before beginning construction.

(C) Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

(D) Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

(E) An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistant construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 903.2.

(F) Requested variance appears to conflict with the Baltimore County Building Code, Section 1407.

(G) A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

(H) Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

I. Comments

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 112 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,  
*[Signature]*  
Charles E. Burdum, Chief  
Plans Review

CEB:es

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner Date: February 5, 1985

Norman E. Gerber, Director  
FROM: Office of Planning and Zoning

Zoning Petition Nos. 85-219-A, 85-220-A, 85-221-A, 85-222-A,  
SUBJECT: 85-224-A, 85-225-A, 85-228-A, 85-229-A, and 85-230-A

There are no comprehensive planning factors requiring comment on these petitions.

*[Signature]*  
Norman E. Gerber, Director  
Office of Planning and Zoning

NEG/JCH/f

## PETITION FOR VARIANCE 15th Election District

LOCATION: North side of Oliver Beach Road, 225 feet East of the centerline of Miles Road

DATE AND TIME: Monday, February 11, 1985 at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a lot width of 50 feet instead of the required 55 feet.

Being the property of Thomas P. Schwind as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

THOMAS P. SCHWIND  
LOT # 230 OLIVER BEACH RD.

## ZONING DESCRIPTION

BEGINNING ON THE NORTH SIDE OF OLIVER BEACH ROAD 50 FEET WIDE, AT THE DISTANCE OF 225 FEET EAST OF THE CENTERLINE OF MILES ROAD. BEING LOT # 230, SECTION "B", IN THE SUBDIVISION OF OLIVER BEACH. LIBER # 14, FOLIO 037. ALSO KNOWN AS PART OF THE 7100 BLOCK (PROBABLY 7104) OLIVER BEACH ROAD IN THE 15TH ELECTION DISTRICT.

January 14, 1985

Mr. Thomas P. Schwind  
3704 Jarrettville Pike  
Jarrettville, Maryland 21084

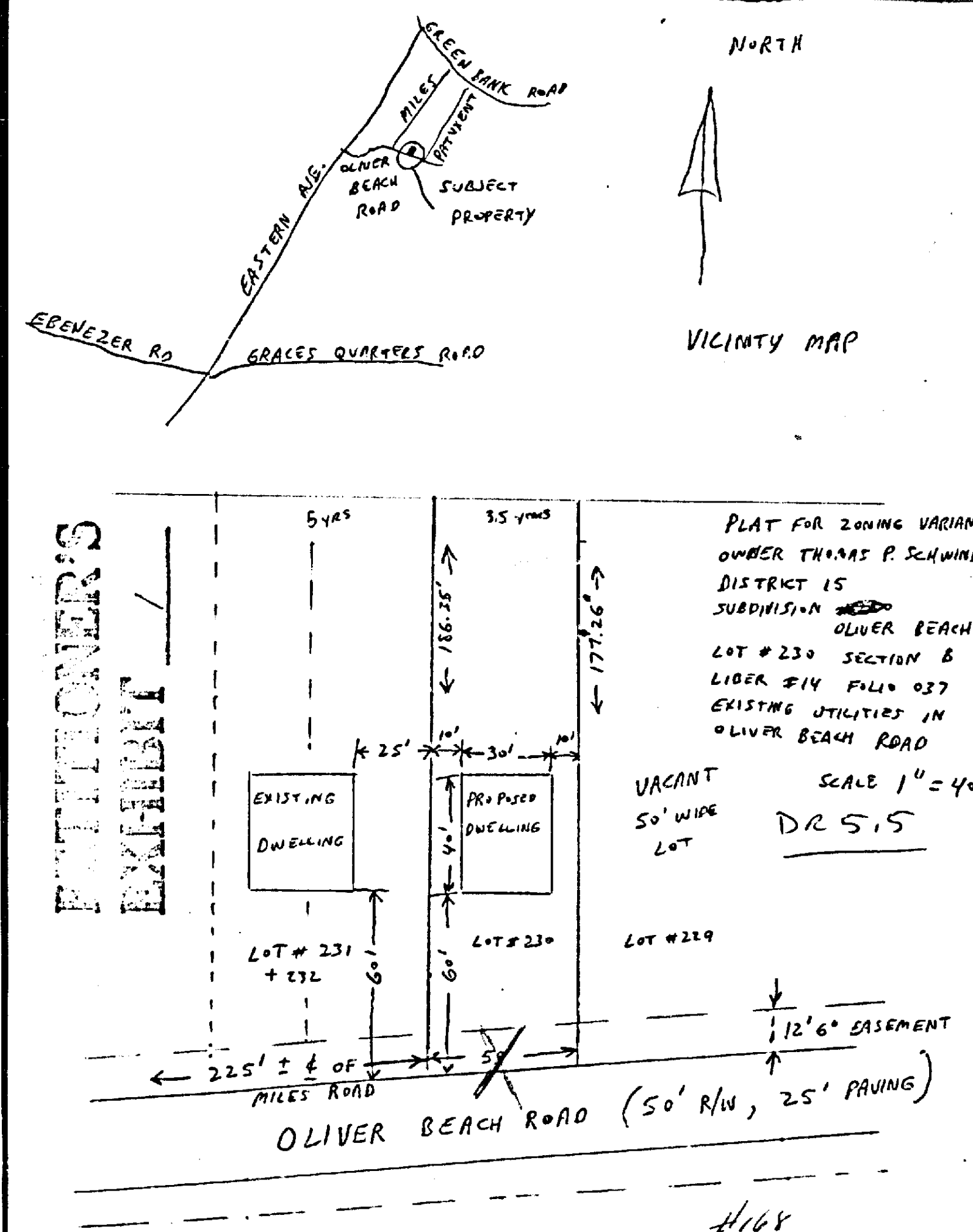
## NOTICE OF HEARING

RE: Petition for Variance  
N/S Oliver Beach Road, 225' E of the  
c/l of Miles Road  
Thomas P. Schwind - Petitioner  
Case No. 85-219-A

TIME: 10:00 a.m.

DATE: Monday, February 11, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland



BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 003103

DATE 12/16/84 ACCOUNT 01-615-000

AMOUNT \$45.00

RECEIVED FROM Thomas P. Schwind

FOR Variance # 168

BY 8013\*\*\*\*\*2351a 21147

VALIDATION OR SIGNATURE OF CASHIER



# CERTIFICATE OF PUBLICATION

TOWSON, MD., January 24, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 24, 1985

THE JEFFERSONIAN,

*VB Venetari*

Publisher

Cost of Advertising  
\$18.00

## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

85-219-A  
9:16 A.M.

District 15th Date of Posting 1/28/85  
Posted for: Variance to permit less yd. width than required  
Petitioner: Thomas P. Schwind  
Location of property: N/S Oliver Beach Rd., 225' E of Miles Rd.  
Location of Signs: Facing Oliver Beach Rd., approx 5' from Roadway, on property of petitioner  
Remarks: \_\_\_\_\_  
Posted by M. L. Hickey Date of return: 2/8/85  
Number of Signs: 1

### PETITION FOR VARIANCE 15th Election District

LOCATION: North side of Oliver Beach Road, 265 feet East of the centerline of Miles Road

DATE AND TIME: Monday, February 11, 1985 at 10:15 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a lot width of 50 feet instead of the required 55 feet.

Being the property of Thomas P. Schwind as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of  
ARNOLD JABLON,  
Zoning Commissioner  
of Baltimore County  
Jan. 24.

### Petition for Variance

15th Election District

LOCATION: North side of Oliver Beach Road, 225 feet East of the centerline of Miles Road.

DATE & TIME: Monday, February 11, 1985 at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a lot width of 50 feet instead of the required 55 feet.

Being the property of Thomas P. Schwind, as shown on plat plan filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of  
Arnold Jablon  
Zoning Commissioner  
of Baltimore County

## The Times

Middle River, Md., Jan 24 1985

This is to Certify, That the annexed

Petition  
Reg L 67487

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 24th day of Jan, 1985

*Arnold Jablon* Publisher.